S.B.Cr. Misc. Bail Application No.5534/2007

(Buta Singh & Ors. vs. State of Rajasthan)

Date of order : November 13, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.D.L.Rawla, for the petitioners.
Mr.Ashok Upadhyaya, P.P. for the State.

Heard learned counsel for the petitioners and the Public Prosecutor for the State. Perused the order impugned.

It appears that against the present petitioners, the trial Magistrate took the cognizance of the offences under sections 147, 148, 452, 323, 324 326 read with section 149 I.P.C. and issued non-bailable warrant. The order of taking cognizance has not been challenged. In the circumstances, therefore, no case for grant of anticipatory bail is made out.

The bail application filed by the petitioners under section 438 Cr.P.C. is, therefore, dismissed. However, learned counsel for the petitioners submits that the petitioners would surrender before the trial court and move a regular bail. If the petitioners surrender before the trial court and move a regular bail, the same shall be decided on the very day in accordance with law.

(H.R.PANWAR),J.

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